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ILLINOIS BOVINE BRUCELLOSIS ERADICATION ACT

(Regulations Relating to this Act in Separate Booklet)



DEPOSITORY
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UNIVERSITY OF ILLINOIS
AT URBANA-CHAMPAIGN

Administered by the
STATE OF ILLINOIS
DEPARTMENT OF AGRICULTURE

Division of
Meat, Poultry and Livestock Inspection

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BOVINE BRUCELLOSIS ERADICATION ACT

(Illinois Revised Statutes, Chapter 8, Paragraphs 134-148b.1)

AN ACT in relation to the eradication of bovine brucellosis among domestic cattle. Laws 1939, p. 94, approved and eff. July 12, 1939. Title amended by P.A. 78-818, § 2, eff. Oct. 1, 1973.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

134. Definitions

§ 1. As used in this Act, unless the context otherwise requires, words and phrases have the meanings ascribed to them in Sections 1.1 to 1.12,¹ inclusive.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

¹Paragraphs 134.1 through 134.12 of this chapter.

134.1. "Department" or "department of agriculture"

§ 1.1. The term "Department" or "Department of Agriculture" means the Department of Agriculture of the State of Illinois.

Added by Laws 1959, p. 2257, eff. July 24, 1959.

134.2. "Bovine brucellosis" or "brucellosis"

§ 1.2. The term "bovine brucellosis" or "brucellosis" means the disease wherein an animal of the bovine species is infected with *Brucella* microorganisms irrespective of the occurrence or absence of clinical signs of bovine infectious abortion.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

134.3. "Official test"

§ 1.3. The term "official test" means any test for the detection of bovine brucellosis, approved by the Department and the United States Department of Agriculture, which is based on the use of a standardized suspension (antigen) of *Brucella* microorganisms in dilution of blood serum taken from the animal to be tested, a bacteriological culture of *brucella abortus* from milk or tissue samples or any other test approved by the Department.

Amended by P.A. 84-200, § 2, eff. Jan. 1, 1986.

134.4. "Ring test"

§ 1.4. "Ring test" means the *abortus brucella* ring test, the same being a diagnostic test of milk or cream to detect the presence of brucellosis in the herd in which such milk or cream was produced.

Added by Laws 1959, p. 2257, eff. July 24, 1959.

134.5. "Infected animal" or "reactor"

§ 1.5. The term "infected animal" or "reactor" means an animal which has given positive reaction to an official test for the detection of brucellosis, or if *Brucella* microorganisms have been found in the body or in the body discharges.

Amended by P.A. 76-972, § 1, eff. Aug. 26, 1969.

134.6. "Accredited veterinarian"

§ 1.6. The term "accredited veterinarian" means a veterinarian who is licensed by the state in which he practices, is approved by the State Animal Health Official of that state, and is accredited by the Animal and Plant Health Inspection Service of the United States Department of Agriculture or any successor agency.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

134.7. "Quarantine"

§ 1.7. The term "quarantine" means a condition in which cattle shall be kept separate and apart from and not allowed to come in contact in any way with other cattle.

Added by Laws 1959, p. 2257, eff. July 24, 1959.

134.8. "Restriction" or "restricted"

§ 1.8. The term "restriction" or "restricted" means a condition in which cattle shall be kept on certain designated premises and shall not be allowed to come in contact in any way with cattle from other premises.

Added by Laws 1959, p. 2257, eff. July 24, 1959.

134.9. "Public stockyards"

§ 1.9. The term "public stockyards" means the National Stockyards at National Stock Yards, Illinois; the Union Stockyards at Peoria, Illinois; and the Chicago-Joliet Marketing Center, Inc., at Joliet, Illinois.

Amended by P.A. 83-760, § 2, eff. Sept. 23, 1983.

134.10. "Certified brucellosis-free herd"

§ 1.10. The term "certified brucellosis-free herd" means a herd which has complied with Department rules and regulations for establishing and maintaining certified brucellosis-free herds of cattle in Illinois.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

134.11. "Health certificate", "certificate of health" or "interstate health certificate"

§ 1.11. The term "health certificate" or "certificate of health" or "interstate health certificate" means a legible record, made on an official form of the state of origin or the Animal and Plant Health Inspection Service of the United States Department of Agriculture or any successor agency and issued by an accredited veterinarian of the state of origin or a veterinarian in the employ of the Animal and Plant Health Inspection

Service of the United States Department of Agriculture, or any successor agency, which shows that the animals listed thereon meet the health requirements of the state of destination. The health certificate must contain the name and address of the consignor, the name and address of the consignee, and an accurate description or identification of the animals involved and must also indicate the health status of the animals including results and dates of required tests, and vaccinations, if any.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

134.12. "Official Vaccinate"

§ 1.12. The term "official vaccinate" means a female bovine animal which was inoculated against brucellosis in Illinois with a licensed vaccine. Such vaccinations shall be by an accredited veterinarian who shall properly identify each animal vaccinated and report all such vaccinations to the Department within 30 days. An "official vaccinate" also means an animal inoculated in a similar manner under existing laws in states other than Illinois. Effective January 1, 1987, the official vaccination age for Illinois shall be set by regulation.

Amended by P.A. 84-200, § 2, eff. Jan. 1, 1986.

134.13. § 1.13. Repealed by P.A. 78-818, § 3, eff. Oct. 1, 1973.

135. Cooperation of federal and state departments

§ 2. The Department of Agriculture is authorized and directed to cooperate with the United States Department of Agriculture in the eradication of bovine brucellosis in domestic cattle in this State.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

136. Tests of dairy or breeding cattle—Cooperation of owner—Expenses—Destruction of cattle

§ 3. All owners of dairy or breeding cattle within the State of Illinois shall submit their cattle for an official test for the detection of brucellosis upon request by the Department, and shall provide the necessary facilities for making tests and render such assistance as may be required by the Department. The direct expense of making such tests shall be paid by the Department.

The Department may use or authorize the ring test to detect the herds in which brucellosis exists. All herds producing milk or cream which react to the ring test shall be given an official test in accordance with rules and regulations of the Department. If the tests provided for in this Act disclose that any animal or animals in such herd are infected with brucellosis and it appears that the public interest would best be served by their destruction, the owner may be partially indemnified for the loss sustained, unless otherwise required by the provisions of Section 4 of this Act.¹

Amended by P.A. 76-972, § 1, eff. Aug. 26, 1969.

¹Paragraph 137 of this chapter.

136a. § 3a. Repealed by P.A. 77-119, § 2, eff. July 1, 1971.

136b. Quarantine of herds disclosing reactors

§ 3b. Herds which disclose reactors shall be quarantined until depopulated or official tests indicate brucellosis infection no longer exists in the herd.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

137. Indemnity to owners of destroyed cattle.

§ 4. If State funds are available for paying indemnity, the Department shall pay to the owner of each infected animal an indemnity of \$50 for any grade animal and \$100 for any registered animal, except that steers so destroyed shall not be eligible for indemnity unless the Department approves depopulation of the entire herd. The Department may, by regulation, increase the indemnity payments, or include additional classes of cattle in order to facilitate the program for eradication of brucellosis. Registration certificates covering animals registered with an approved registry association shall be presented before payment of indemnity, otherwise indemnity payment shall be made as grade. A reasonable length of time will be allowed for the registration of eligible animals that are under 3 years of age.

Amended by P.A. 82-701, § 1, eff. July 1, 1982.

138. Reactors—Quarantine—Branding—Notification of Department—Shipment for slaughter—Designation of reactors—Movement restricted

§ 5. When one or more animals in a herd have been classified as reactors to an official test, the entire herd, except steers, spayed heifers and calves under 6 months of age, shall be quarantined immediately and the owner so notified. An accredited veterinarian or a veterinarian in the employ of the Animal and Plant Health Inspection Service of the United States Department of Agriculture, or any successor agency, shall permanently hot iron brand each animal classified as a reactor, within 15 days after classification of such animal as a reactor, on the left jaw with the letter "B", such letter to be not less than 2 nor more than 3 inches in height, and shall place a special identification tag in the left ear of such reactor. The veterinarian applying an official test for brucellosis shall immediately notify the Department of each such reactor on forms furnished by the Department, giving the number of the tag placed in the left ear and the number of any tag in the right ear. Reactors shall be shipped for slaughter within 30 days of test date, except that the Department may, upon request, grant an extension of not more than 30 days. Suspect animals which have a history of having aborted and are from a herd containing reactors may be designated as reactors by the veterinarian obtaining the blood samples, when approved by the Superintendent of the Division of Meat, Poultry and Livestock Inspection. Suspect animals in herds under quarantine due

to brucellosis infection may be designated as reactors by the Superintendent of the Division of Meat, Poultry and Livestock Inspection if deemed advisable in the interest of brucellosis eradication. No person shall remove any reactor identification tag.

All animals classified as suspects to an official test shall be positively identified and their movement restricted to the premises where found until they are retested and found negative, or identified as reactors.

Amended by P.A. 83-760, § 2, eff. Sept. 23, 1983.

138.1. Steers, spayed heifers or calves under 6 months—Entry into State

§ 5.1. Steers, spayed heifers or calves under 6 months of age may enter Illinois when accompanied by an official health certificate or by prior permit from the Department.

Amended by P.A. 83-760, § 2, eff. Sept. 23, 1983.

139. Dairy and breeding cattle shipped into State—Interstate health certificate—Additional requirements on classes of cattle from Class B & C states

§ 6. No dairy or breeding cattle more than 6 months of age shall be imported into the State of Illinois unless they are accompanied by an official interstate health certificate showing the cattle negative to an official test for brucellosis within 30 days prior to the date of entry, except as otherwise provided in this Act. The Department may by regulation impose additional requirements on specific classes of cattle from Class B and Class C states as defined under the Brucellosis Eradication Uniform Methods and Rules approved by the U.S. Department of Agriculture.

Amended by P.A. 83-760, § 2, eff. Sept. 23, 1983.

139.1. Dairy and breeding cattle shipped from or to public stockyards—Certificate of health—Record of brucellosis calfhood vaccination

§ 6.1. No dairy or breeding cattle more than 6 months of age shall be shipped from any public stockyards in Illinois consigned to any point within the State unless they are accompanied by a certificate of health issued by an accredited veterinarian or a veterinarian employed by the Animal and Plant Health Inspection Service of the United States Department of Agriculture, or any successor agency, showing them to have been negative to an official test for brucellosis prior to release from such public stockyards or be under 24 months of age and accompanied by a record of official brucellosis calfhood vaccination.

Cattle consigned to public stockyards in Illinois may enter such public stockyards without test or certificates of health showing them to be free from brucellosis.

Amended by P.A. 83-760, § 2, eff. Sept. 23, 1983.

139.2. Dairy and breeding cattle—Entry into State without test for brucellosis

§ 6.2. Except as otherwise provided in this Act, dairy and breeding cattle may enter Illinois without an official test for brucellosis when accompanied by an interstate health certificate approved by the State Animal Health Official of the state of origin and issued by an accredited veterinarian of the state of origin or a veterinarian employed by the Animal and Plant Health Inspection Service of the United States Department of Agriculture, or any successor agency, showing:

1. Such cattle to have originated from a Class Free State or a certified brucellosis-free herd and giving the certified herd number; or

2. Such cattle to be official female brucellosis calfhood vaccinates 24 months of age or under.

Amended by P.A. 83-760, § 2, eff. Sept. 23, 1983.

139.3. Female cattle of beef breeds under 18 months —Shipment or entry for grazing purposes without test—Quarantine

§ 6.3. Female cattle of the beef breeds over 6 and under 18 months of age, for feeding and grazing purposes only, may enter the State or may be shipped from public stockyards within the State without test for brucellosis. Such cattle are under quarantine until they have passed a negative brucellosis test and such test is reported to the Department, or until a report of their disposal for slaughter is made to the Department. They may be held in quarantine without test during their feeding and grazing period, which period shall not exceed 12 months from date of entry. Upon application to the Department and at the discretion of the Department such period may be extended for an additional period not to exceed 90 days. At the expiration of the feeding and grazing period the cattle shall be sold for immediate slaughter or tested for brucellosis at the expense of the owner. The owner shall report such disposition to the Department. Such cattle classified as reactors to an official test for brucellosis shall be sold for immediate slaughter and the owner shall report their disposal to the Department.

Amended by P.A. 80-518, § 1, eff. Oct. 1, 1977.

139.4. Female cattle of beef breeds 18 months or over—Entry or shipment for grazing purposes

§ 6.4. Female cattle of the beef breeds 18 months of age and over, for feeding and grazing purposes only, may enter the State or may be shipped from public stockyards within the State; provided, such cattle are accompanied by an official certificate of health which states they were negative to an official test for brucellosis within 30 days prior to date of entry, which test shall be conducted by a State or Federal approved laboratory, or are under 24 months of age and were officially calfhood vaccinated.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

139.5. Breeding cattle, what are classified as

§ 6.5. Bulls, springer heifers and cows, or heifers and cows with calves, are classed as breeding cattle and as such must comply with the requirements governing breeding cattle.

Amended by P.A. 77-119, § 1, eff. July 1, 1971.

139.6. Entry of cattle upon same terms as other states permit entry

§ 6.6. Subject to the minimum requirements set forth in Sections 6 to 6.4, both inclusive,¹ the Department is empowered to permit dairy and breeding cattle to enter this State from any other state or territory upon the same terms and conditions as dairy and breeding cattle from this State are permitted to enter such other state or territory.

Added by Laws 1953, p. 1073, eff. July 13, 1953.

¹Paragraphs 139 to 139.4 of this chapter.

139.7. Bison, entry into State

§ 6.7. Bison, except steers, spayed heifers, or calves under 6 months of age, may be imported into Illinois if consigned direct for immediate slaughter to an approved slaughtering establishment and accompanied by a consignment certificate, or if accompanied by an official health certificate indicating the bison:

- (a) Originated from a certified brucellosis-free herd; or
- (b) Are official female brucellosis vaccinates under 24 months of age; or
- (c) Were negative to an official brucellosis test within 30 days prior to importation.

Bison steers, spayed heifers, or calves under 6 months of age may enter Illinois when accompanied by an official health certificate, or consigned for immediate slaughter to an approved slaughtering establishment accompanied by a consignment certificate.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

139.71. Female bison or bulls—Loan, lease, trade or sale—Brucellosis tests and vaccinations

§ 6.71. Except as otherwise provided in this Act, no female bison or bulls more than 6 months of age shall be loaned, leased, traded or sold in this State, except for slaughter, unless such bison either:

1. Have been tested for brucellosis and found negative within 60 days prior to the date of such transaction and are accompanied by either a certificate of health or an official test chart showing such test and the result thereof, which test shall be recognized for unlimited change of ownership or premises within the 60-day period; or

2. Are females 24 months of age or under which were officially vaccinated against brucellosis with a licensed vaccine, are positively identified, and are accompanied by an official certificate of vaccination; or

3. Are in a certified brucellosis-free herd at the time of transaction.

Added by P.A. 82-701, § 1, eff. July 1, 1982.

139.8. Cattle—Importation for immediate slaughter—Conditions

§ 6.8. Cattle for immediate slaughter consigned to a recognized slaughtering establishment may be shipped into Illinois without a brucellosis test or health certificate, however, such cattle shall be accompanied by a consignment document as provided by rules and regulations of the Department. Such cattle shall be held in quarantine until slaughtered.

Cattle for immediate slaughter not consigned to a recognized slaughtering establishment may be shipped into Illinois without brucellosis test as provided by the rules and regulations of the Department. Such cattle shall be held in quarantine until slaughtered.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

140. Duty of person, transportation company or truck operator

§ 7. Before accepting any cattle for shipment into the State of Illinois or consigned to points within the State of Illinois, except to public stockyards or to a State or Federal approved slaughtering establishment, every person, transportation company or truck operator shall require that a certificate of health or permit, as required in the orders and regulations of the Department, be furnished them to be attached to the waybill and accompany the animal to its destination. Such person, transportation company, or truck operator shall have such certificate of health or permit in his or its possession at all times from the loading of such animal to the delivery of such animal at its destination, and available for inspection upon demand.

Amended by P.A. 80-518, § 1, eff. Oct. 1, 1977.

141. § 8. Repealed by P.A. 82-701, § 2, eff. July 1, 1982.

142. Quarantine or restriction—Rules and regulations—Approval by advisory board

§ 9. The Department shall make rules and regulations relating to cattle under quarantine and restriction and the owner of cattle under quarantine or restriction shall comply with all reasonable quarantine or restriction measures which may be deemed necessary by the Department and shall bear all expenses connected with such quarantine or restriction. The Department may allow the sale and transfer of cattle under quarantine or restriction subject to such reasonable regulations as the Department may prescribe. No rule or regulation made, prescribed or issued by the Department pursuant to the provisions of this Act shall be effective unless such rule or regulation has been submitted to the Advisory Board of Livestock Commissioners for approval.

Amended by P.A. 77-119, § 1, eff. July 1, 1971.

143. Administrative rules and regulations

§ 10. The Department may make and adopt reasonable rules and regulations for the administration and enforcement of the provisions of

this Act. The Department, or its representatives, in performing the duties vested in it under this Act is empowered to enter, during usual working hours, any premises, barns, stables, sheds or other places where cattle are kept, for the purpose of administering the provisions of this Act.

144. Violations—Punishment—Penalty

§ 11. Any person violating any provision of this Act or of any rule, regulation or order of the Department issued pursuant to this Act is guilty of a petty offense and subject to a minimum \$200 fine.

Amended by P.A. 83-760, § 2, eff. Sept. 23, 1983.

145. Obsolete. § 13.

146. Vaccines and vaccinations—Regulations—Tests—Movement of vaccinated animals

§ 14. The use of vaccines containing *Brucella* microorganisms shall be permitted in the manner and upon the conditions hereinafter set forth. Only vaccines produced under license of the Animal and Plant Health Inspection Service of the United States Department of Agriculture or any successor agency for calfhood vaccinations against bovine brucellosis may be used. Such vaccines shall be sold by the distributor only to a licensed veterinarian, and shall be administered only by a licensed veterinarian or a veterinarian in the employ of the Animal and Plant Health Inspection Service of the United States Department of Agriculture or any successor agency. All animals vaccinated shall be positively identified.

The Department may by regulation require brucellosis vaccination of female cattle or female bison entering or moving within this State.

The veterinarian vaccinating such animals shall give to the owner an official record identifying such animals and stating that they were vaccinated with a licensed vaccine, giving the date of vaccination, the serial number and name of the manufacturer of such vaccine, and the dosage used.

Animals vaccinated at such age, when accompanied by an official record of vaccination, or any animals that have lost their ear tags but have the official calfhood vaccination tattoo in the ear may move unrestricted, even though they may react to an official test for brucellosis, until they reach the age of 24 months. Upon request, the veterinarian vaccinating any such animal shall test the animal for brucellosis prior to vaccination and shall give the owner an official record showing the result of the test and that the animal was then vaccinated with a licensed vaccine, giving the date of vaccination, the serial number and name of the manufacturer of such vaccine, and the dosage used.

Amended by P.A. 84-200, § 2, eff. Jan. 1, 1986.

146a. § 14a. Repealed by P.A. 80-518, § 2, eff. Oct. 1, 1977.

146b. Vaccination of animals not less than 120 days nor more than 299 days of age

§ 14b. Animals not less than 120 days nor more than 299 days of age may be vaccinated against brucellosis. It shall be optional with the owner of such animals whether they are tested for brucellosis prior to vaccination. The provisions of this Section shall be null and void as of January 1, 1987. Added by P.A. 84-200, § 2, eff. Jan. 1, 1986.

Paragraph null and void Jan. 1, 1987.

147. Veterinarian's reports of vaccinations

§ 15. Any veterinarian administering any vaccines containing *Brucella* microorganisms or making any test for bovine brucellosis shall report same to the Department within 30 days, on forms to be furnished by the Department.

Amended by P.A. 82-701, § 1, eff. July 1, 1982.

147a. Laboratories for making tests—Permit—Record of tests—Revocation of permit

§ 15a. No person, firm or corporation shall operate a laboratory in this State for the purpose of conducting tests for bovine brucellosis for others, nor shall any person, firm or corporation conduct such tests for others, without first securing a permit from the Department. The application for such permit shall be on a form prescribed by the Department and shall set forth the name of the applicant and if a corporation, the name of its principal officers, the location where such laboratory will be operated or such tests conducted and the records thereof kept, a brief description of the training and experience of the applicant or the person in charge of conducting such tests and such additional information as will enable the Department to determine the responsibility of the applicant and the qualifications and ability of such applicant to conduct tests. If the Department finds that the applicant is responsible and appears to be qualified to conduct such tests, it shall issue a permit. Such permits shall be in effect from the date issued until revoked by the Department.

Every person receiving a permit to operate such a laboratory or to conduct such tests shall keep a record of all tests, including the name and address of the person for whom the tests were conducted, and shall report to the Department the results of all tests. Such reports shall be made each week on forms to be prescribed by the Department.

If the Department finds that any applicant for a permit is not responsible or is not qualified to conduct such tests, it may refuse a permit. If the Department finds that any person, firm or corporation holding a permit is

no longer responsible or qualified to conduct such tests or is not correctly reporting the results of tests conducted or if the holder of any such permit shall fail to report to the Department the results of the tests conducted as herein required, the Department may revoke such permit.

Amended by P.A. 78-818, § 1, eff. Oct. 1, 1973.

148. § 16. (L.1941, vol. 1, p. 28). Repealed by Laws 1945, p. 39, eff. July 1, 1945.

148a. Loan, lease, trade or sale of female cattle or bulls—Restrictions

§ 17. Except as otherwise provided in this Act, no female cattle or bulls more than 6 months of age shall be loaned, leased, traded or sold in this State, except for slaughter, unless such cattle either:

(a) have been tested for brucellosis and found negative within 60 days prior to the date of such transaction and are accompanied by either a certificate of health or an official test chart showing such test and the result thereof, which test shall be recognized for one change of ownership or premises only with the 60-day period; except that such cattle may change ownership or premises one or more times in the 14-day period immediately following the date of the negative test; or

(b) are under 24 months of age and were officially vaccinated against brucellosis with a licensed vaccine, are positively identified and are accompanied by an official certificate of vaccination; or

(c) are in a certified brucellosis-free herd at the time of transaction.

The Department may allow the sale of untested female cattle of the beef breeds over 6 and under 18 months of age for feeding and grazing purposes only. The seller shall immediately report such sale to the Department, giving the name and address of the purchaser, date sold, number of head sold and a description of the cattle, including sex, age and breed. Such cattle shall be under quarantine to the purchaser until they have passed a negative brucellosis test and such test is reported to the Department, or until a report of their disposal for slaughter is made to the Department. Such cattle may be held in quarantine without test during their feeding and grazing period, which period shall not exceed 12 months from date of entry. Upon application to the Department and at the discretion of the Department, however, such period may be extended for an additional period not to exceed 90 days. At the expiration of the feeding and grazing period the cattle shall be sold for immediate slaughter or tested for brucellosis at the expense of the owner and the owner shall report such disposition to the Department. Such cattle classified as reactors to an official test for brucellosis shall be sold for immediate slaughter, and the owner shall report their disposal to the Department.

Amended by P.A. 80-518, § 1, eff. Oct. 1, 1977.

148b. Application of Act

§ 17a. Nothing in this Act shall be construed as preventing the movement of cattle into stockyards registered under the Packers and Stockyards Act,¹ a State-Federal approved slaughtering establishment, or a marketing center approved by the United States Department of Agriculture and the Illinois Department of Agriculture, as defined in the Illinois Livestock Auction Market Law,² and operating under the rules and regulations pertaining to marketing centers.

Amended by P.A. 76-972, § 1, eff. Aug. 26, 1969.

¹7 U.S.C.A. § 181 et seq.

²Chapter 121½, Paragraph 208 et seq.

148b.1. Short title

§ 17b. This Act shall be known and may be cited as the "Illinois Bovine Brucellosis Eradication Act".

Added by P.A. 78-818, § 1, eff. Oct. 1, 1973.

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ILLINOIS REGULATIONS RELATING TO BOVINE BRUCELLOSIS

(Illinois Bovine Brucellosis Eradication Act is in Separate Booklet)

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REVENUE
DEPARTMENT

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TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

Part 75
BOVINE BRUCELLOSIS

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AUTHORITY: Implementing and authorized by the Illinois Bovine Brucellosis Eradication Act (Ill. Rev. Stat. 1985, ch. 8, par. 134 et seq.).

SOURCE: Regulations Relating to Bovine Brucellosis, filed January 17, 1972, effective January 27, 1972; amended, filed May 3, 1972, effective May 13, 1972; filed Dec. 6, 1972, effective Dec. 16, 1972; filed June 20, 1973, effective June 20, 1973;

filed Dec. 14, 1973, effective Dec. 24, 1973; filed Aug. 19, 1975, effective Aug. 29, 1975; filed Mar. 12, 1976, effective March 22, 1976; filed June 21, 1976, effective July 1, 1976; filed Dec. 29, 1976, effective Jan. 8, 1977; amended at 2 Ill. Reg. 24, p. 55, effective June 15, 1978; amended at 3 Ill. Reg. 34, p. 96, effective Aug. 24, 1979; amended at 5 Ill. Reg. 720, effective January 2, 1981; codified at 5 Ill. Reg. 10453; amended at 7 Ill. Reg. 1737, effective January 28, 1983; amended at 7 Ill. Reg. 1733, effective February 2, 1983; amended at 8 Ill. Reg. 5891, effective April 23, 1984; amended at 9 Ill. Reg. 4483, effective March 27, 1985; amended at 9 Ill. Reg. 19647, effective January 1, 1986; amended at 10 Ill. Reg. 9741, effective May 21, 1986.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 75.5 Definitions

The definitions for this Part shall be as stated 8 Ill. Adm. Code 20.1. The following definition shall also apply:

"Act" means the Illinois Bovine Brucellosis Eradication Act (Ill. Rev. Stat. 1985, ch. 8, par. 134 et seq.).

(Source: Amended at 10 Ill. Reg. 9741, effective May 21, 1986)

Section 75.7 Incorporation by Reference

No incorporation by reference in this Part includes any future amendments, additions or deletions beyond the date specified.

(Source: Added at 9 Ill. Reg. 4483, effective March 27, 1985)

Section 75.10 Official Classification of the Results of the Brucellosis Blood Test

- a) The card (Buffered Brucella Antigen) test shall be the principal test for brucellosis utilized at approved laboratories in this State. The standard plate test, standard tube test, Rivanol test, Complement-fixation test (CF), Buffered Acidified Plate Antigen (BAPA) test, and/or enzyme-linked immunosorbent assay (ELISA) shall be utilized as supplemental tests as necessary in order to establish the negative, suspect, or reactor status of animals.
- b) The card (Buffered Brucella Antigen) test shall be the official test used at licensed livestock auction markets in the State.
- c) The standard plate test shall be the official test conducted by laboratories authorized under Section 15a of the Act.
 - 1) The results of the brucellosis standard plate test of officially vaccinated bovines shall be classified according to 8 Ill. Adm. Code 75.Table A.
 - 2) The results of the brucellosis standard plate test of non-vaccinated bovines shall be classified according to 8 Ill. Adm. Code 75.Table B.
- d) The official brucellosis test for cattle imported into Illinois shall be one conducted at an approved laboratory.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.15 Permits to Conduct Official Brucellosis Tests

- a) A permit to operate a laboratory to conduct blood serum agglutination tests for brucellosis will be issued when the applicant has:
 - 1) Completed a Division permit application and returned it to the Division.
 - 2) Received oral instruction on testing procedures from State-Federal Serology Laboratory personnel.
 - 3) Completed a check test conducted at the State-Federal Serology Laboratory of 100 bovine brucellosis serum samples, with a score of at least 90% accuracy.
- b) Retesting of the person permitted to operate a laboratory to conduct brucellosis tests will occur when tests performed by the permittee fail to disclose three or more reactors as determined by conformation tests at the State-Federal Serology Laboratory.

(Source: Added at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.20 Reports Required

- a) The veterinarian is required to report in writing to the Division all brucellosis blood tests within seven days of the date of test. The report must accompany the blood samples and shall be reported on forms furnished by the Division. This report shall contain the date of the test, a statement of the result obtained, the name and address of the owner, together with proper identification of each animal tested. The identification of a grade animal shall include the predominating breed, sex, approximate age, and ear tag number. A purebred or crossbred registered animal shall be identified by its breed, sex, age, and registration number or record association approved individual tattoo.
- b) The veterinarian shall report in writing to the Division all brucellosis vaccinations of cattle within 30 days of the date of vaccination.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.30 Tests Conducted at State Expense or for Interstate or Export Shipment

The official test for the detection of bovine brucellosis, if tests are made at State expense or for interstate or export shipment, shall be one made by an approved laboratory. Tests of a herd shall be made at State expense when a reactor has been revealed through the Market Cattle Identification Program. Tests made for interstate or export shipment shall be at owner's expense.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.40 Tests Conducted at Owner's Expense for Intrastate Movement

The official test for the detection of bovine brucellosis conducted at owner's expense for intrastate movement of cattle shall be made by a veterinarian who has received a permit from the Division to conduct a laboratory for the purpose of making official tests for bovine brucellosis, or at an approved laboratory.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.50 Indemnity

- a) If State funds are available, indemnity will be paid to owners of dairy and breeding cattle which react to the official test for the detection of bovine brucellosis and are destroyed provided:
 - 1) Tests are read at an approved laboratory.
 - 2) A report has been received from the veterinarian that the entire herd has been officially tested, except calves under 6 months of age and official vaccinates under 24 months of age.
 - 3) Indemnity forms are completed by an accredited veterinarian or a regularly employed State or Federal veterinarian and all the requirements of Sections 4 and 5 of the Act governing the payment of indemnity are observed.
- b) Indemnity will not be paid for reactors disclosed on tests for release of feeder quarantine in accordance with Section 6.3 of the Act or where incomplete herd tests are conducted.
- c) When State funds are available for paying indemnity, the Department shall pay to the owner an indemnity at the rate specified in Section 4 of the Act for each female calf destroyed which was nursing a cow classified as a brucellosis reactor.
- d) Depopulation - When a herd is found to be severely infected as evidenced by disclosure of one or more reactors on 2 or more herd tests, or by more than 10% of the herd being disclosed as reactors on a single herd test, or through bacteriological culture of *Brucella abortus* from milk or tissue samples from a reactor, the entire herd shall be depopulated; provided, the herd owner agrees to such depopulation and State and/or federal indemnity funds are available to pay for the depopulation.
 - 1) When the complete herd depopulation procedure is followed, and when State and United States Department of Agriculture funds are available, the State shall pay to the owner of cattle destroyed an indemnity of \$50 for any grade animal and \$100 for any registered purebred or crossbred animal.
 - 2) If at any time the United States Department of Agriculture fails to provide indemnity for herd depopulation, the State of Illinois shall, if State funds are available, pay to the owner of cattle

destroyed an additional indemnity of \$50 for any grade animal and \$100 for any registered purebred or crossbred animal.

(Source: Amended at 9 Ill. Reg. 19647, effective January 1, 1986)

Section 75.60 Identification of Cattle

- a) All purebred or crossbred cattle subject to registration vaccinated with Brucella abortus vaccine shall be identified on the report of vaccination by their registration number, of dam's registration number, or record association approved individual tattoo. All grade or not permanently identified cattle so vaccinated shall be ear tagged in the right ear with an identification tag. In addition to the above identification, all animals shall be identified at the time of vaccination by a tattoo in the right ear. The tattoo shall show the quarter and year of vaccination and the letter "V" in the Federal shield. The number of the quarter shall precede the letter "V" in the shield and the last figure of the year shall follow the letter "V" in the shield, as for example, 4V7 - "4" means the last quarter (Oct., Nov., Dec.) of the year, "V" means vaccinated, and "7" means the year (example 1957).
- b) All cattle, except permanently identified purebred or crossbred animals, tested for brucellosis in the State of Illinois shall be identified by an ear tag placed in the right ear, which tag shall bear a prefix number or letter followed by the number on the face of the tag, and on the reverse side shall bear the word "Illinois".
- c) Purebred or crossbred registered cattle may be identified for test or vaccination by the purebred or crossbred registration number or individual registration breed tattoo.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.70 Herds Revealing Reactors

- a) The entire herd shall be placed under quarantine and the reactor animals shall be immediately isolated from the remainder of the herd. Reactors shall be shipped for slaughter to a public stockyards, a licensed livestock auction market, or directly to a recognized slaughtering establishment accompanied by United States Department of Agriculture VS Form 1-27 Permit For Movement of Animals and shipment reported to the Division.
- b) All reactors shall be reactor tagged and branded by an accredited veterinarian or a veterinarian in the employ of the Division or the Animal and Plant Health Inspection Service within 10 days of report by the laboratory. ADE Form 1-23 (Indemnity Claim for Cattle Slaughtered) shall be submitted in duplicate. Such reactor animals shall be shipped within 15 days after tagging and branding.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.80 Sale of Suspects and Negative Animals From Quarantined Herds

Suspects or negative exposed animals from herds under quarantine may be shipped by the owner direct to a recognized slaughtering establishment, a public stockyards or to a licensed livestock auction market, accompanied by Federal Form VS 1-27 to be sold for slaughter only and shipment reported to the Division. Such cattle are to be identified by an ear tag supplied by the Department and by branding with a hot iron the letter "S" on the left jaw in letters not less than 2 nor more than 3 inches in height, before the animals leave the premises where they are quarantined, except that cattle for slaughter shall be exempt from the "S" branding requirements of this regulation when moved direct from a feedlot on the quarantined premises to a recognized slaughtering establishment in a vehicle which has been sealed by a Department employee, or a person designated by the Department.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.90 Release of Herds or Cattle Under Quarantine

- a) Herds which disclose reactors shall be quarantined until depopulated or official tests indicate brucellosis infection no longer exists in the herd.
- b) An additional official test of all test-eligible cattle in the herd is required not less than 6 months after release of the herd quarantine or not less than 10 months after removal of the last reactor. For the purpose of this Section, "test-eligible" cattle means all cattle 6 months of age or over except steers, spayed heifers, and official brucellosis calfhood vaccinates under 24 months of age.
- c) Such herd retests shall be conducted at State-Federal expense; provided, funds are available. The blood samples shall be submitted for diagnosis to an approved laboratory.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.100 Herds Revealing Suspects Only

Only the suspects are restricted, using State Form C-41, and only the suspects need to be retested at 30-day intervals until all suspects test negative. Retest of suspects shall be conducted at State-Federal expense, provided funds are available.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.110 Identification Tags

No person shall remove identification tags, numbers, brands, or market cattle identification program backtags from livestock except:

- a) Backtags shall only be removed when an animal is blood tested or is slaughtered and a Market Cattle Identification sample collected.

- b) Identification tags shall be removed only when an animal is slaughtered and a Market Cattle Identification sample collected.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.120 Requirements for Establishing and Maintaining Certified Brucellosis-Free Herds of Cattle

Certified brucellosis-free herds shall be established and maintained in accordance with the Brucellosis Eradication Uniform Methods and Rules approved by the United States Department of Agriculture (June 15, 1985) and/or 9 CFR 78.1(q) (1985).

(Source: Amended at 9 Ill. Reg. 19647, effective January 1, 1986)

Section 75.130 Feeding or Grazing Cattle

- a) All steers and spayed heifers, and calves of the beef breeds under 6 months of age may enter Illinois when accompanied by an official interstate health certificate OR by a permit from the Division. A permit may be obtained by telephoning or writing the Division. Steers and spayed heifers are not subject to quarantine restrictions.
- b) Heifers, untested, of the beef breeds over 6 months of age and under 18 months for feeding and grazing purposes only may enter Illinois when accompanied by an official interstate health certificate AND a permit from the Division. They are placed under quarantine at destination and shall be held under quarantine for the period of feeding, not to exceed 12 months, with an extension of 90 days granted on request to the Division.
- c) The owner shall report to the Division the disposition of heifers which are under quarantine for feeding and grazing purposes. If such heifers are retained longer than the allowed feeding period, they shall be tested for brucellosis at owner's expense. All brucellosis blood tests for release of quarantine shall be conducted at an approved laboratory.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.140 Sale of Quarantined Feeding or Grazing Cattle

The sale or transfer of feeding or grazing cattle under quarantine is permitted provided that the original quarantine holder shall, within 10 days, report to the Division such transfer of quarantined animals, giving name and address of person to whom animals were transferred, date of transfer, and number of animals transferred. There may be one transfer of ownership only. No second transfer of quarantine will be permitted. The feeder animals which were transferred will be quarantined to the new owner for the remainder of the feeding period and any extension thereof granted by the Division.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.150 Cattle for Immediate Slaughter

Cattle for immediate slaughter accompanied by a consignment and consigned to a recognized slaughtering establishment or markets identified under Section 17a of the Act may be shipped into Illinois without brucellosis test or official interstate health certificate. Such cattle shall not be diverted en route and shall be held in quarantine until slaughtered within 10 days of entry.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.160 Female Cattle - Beef Breeds - 18 Months and Over

Female cattle of the beef breeds 18 months of age and over, for feeding or grazing purposes only, may enter Illinois, or may be shipped from public stockyards within the State, if they are accompanied by an official interstate health certificate showing:

- a) Negative brucellosis blood test conducted at a State or Federal Laboratory within 30 days prior to entry, OR
- b) The animals to be under 24 months of age and officially calfhood vaccinated against brucellosis.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.170 Release of Feeding or Grazing Cattle from Quarantine

The quarantine on feeding or grazing cattle is released when:

- a) The owner reports to the Division the shipment of the quarantined animals to a public stockyard or a licensed livestock auction market, OR
- b) The owner reports to the Division the sale of the quarantined cattle for immediate slaughter to a person regularly engaged in the slaughter of cattle, or reports the slaughter of the cattle for his own use, OR
- c) The owner reports to the Division the death of the quarantined animals, OR
- d) The Division receives a report of required negative brucellosis blood test conducted by an accredited veterinarian for the release of the quarantine on the animals. The report of test for release from quarantine should bear a notation that the test is conducted for quarantine release. Such test shall be at the owner's expense. All brucellosis blood tests for release of feeder quarantine shall be conducted at an approved laboratory, OR
- e) The owner reports to the Division the transfer within 10 days of the feeder females. Name and address of purchaser shall be furnished for transfer of quarantine for remainder of feeding period and any extension thereof granted by the Division.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.180 Dairy or Breeding Cattle

All dairy or breeding cattle transported or moved into the State of Illinois, unless said cattle are consigned direct to and delivered by the transportation company within the confines of a public stockyard or marketing center, shall be accompanied by an official certificate of health showing:

- a) All such cattle over 6 months of age are negative to brucellosis blood test within 30 days prior to shipment, OR
- b) All cattle originated from a certified brucellosis-free herd. Certified herd number shall be given and the cattle shall be identified by ear tag number, registration name and number, dam's registration number, or record association approved individual tattoo, OR
- c) Cattle are official brucellosis calfhood vaccinates under 24 months of age.

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.190 Permit, Retest and Vaccination Requirements on Cattle from States Designated as Class B and Class C

- a) In addition to other entry requirements, a prior permit must be obtained for dairy, feeding or breeding cattle, except those consigned direct to slaughter or calves under 6 months of age, entering Illinois from States designated by the U.S. Department of Agriculture as Class B and Class C under provisions of the Brucellosis Eradication Uniform Methods and Rules as recommended and approved by the United States Animal Health Association (P.O. Box 28176, Suite 205, 6924 Lakeside Avenue, Richmond, Virginia 23228-0176) and by the U.S. Department of Agriculture (June 15, 1985). Such prior permits shall be obtained by contacting the Division of Meat, Poultry and Livestock Inspection, Illinois Department of Agriculture, State Fairgrounds, Springfield, Illinois 62706, telephone 217/782-4944. Information regarding the origin, destination and description of the cattle along with the number of animals in the shipment is necessary for obtaining a permit.
- b) Breeding cattle 12 months of age or over from such states shall be placed under quarantine and in isolation until retested and negative to an official test for brucellosis conducted not less than 45 days nor more than 120 days after entering Illinois.
- c) All female cattle born after July 1, 1985, if more than four months of age, except spayed heifers or those consigned directly to slaughter, entering Illinois from Class B or Class C states must be official calfhood vaccinates and vaccination status shall be recorded on the official interstate health certificate or must be tested negative for brucellosis within 30 days prior to entry. After July 1, 1986, all female cattle, if more than four months of age, except spayed heifers or those consigned directly to slaughter, entering Illinois from Class B or Class C states must be official calfhood vaccinates and

vaccination status shall be recorded on the official interstate health certificate.

- d) Effective January 1, 1987, female cattle, except those consigned directly to slaughter, entering Illinois from Class C states shall, in addition to present entry requirements now on file, either originate from a certified brucellosis-free herd or be spayed and be officially identified by a hot iron brand on either or both jaws or left hip using an open spade design (e.g., as used in playing cards) of not less than three inches in height. Certification of spaying by an accredited veterinarian is to be shown on the official interstate health certificate.

(Source: Amended at 10 Ill. Reg. 9741, effective May 21, 1986)

Section 75.200 Slaughter Cattle from Class B or Class C States

- a) Prior to movement for slaughter, all test-eligible cattle of unknown status originating in Class B or Class C states in accordance with the Brucellosis Eradication Uniform Methods and Rules (June 15, 1985) shall:

- 1) Be subjected to an official test for brucellosis within 60 days prior to movement from the farm of origin, OR
- 2) Be subjected to an official test for brucellosis at the market or stockyards (first point testing), OR
- 3) Be permanently identified with a hot iron "S" brand on the left jaw and be accompanied to slaughter by USDA Form VS 1-27, OR
- 4) Be accompanied by USDA Form VS 1-27 and moved direct to slaughter in sealed trucks and/or compartments, with no intermediate stops.

- b) For the purpose of this Section, "test-eligible" cattle means all cattle 18 months of age or over, except steers, spayed heifers, and official brucellosis calfhood vaccinates under 24 months of age. Finished fat heifers moving in marketing channels direct to slaughter will not be considered as test-eligible cattle.

(Source: Amended at 9 Ill. Reg. 19647, effective January 1, 1986)

Section 75.210 Official Calfhood Vaccination

Effective January 1, 1987, a female bovine animal is recognized as an official vaccinate if the animal is not less than 120 days nor more than 299 days of age when inoculated against brucellosis. SUCH VACCINATIONS SHALL BE BY AN ACCREDITED VETERINARIAN WHO SHALL PROPERLY IDENTIFY EACH ANIMAL VACCINATED AND REPORT ALL SUCH VACCINATIONS TO THE DEPARTMENT WITHIN 30 DAYS (Ill. Rev. State. 1985, ch. 8, par. 134.12).

(Source: Added at 10 Ill. Reg. 9741, effective May 21, 1986)

Section 75.220 Recognition of Brucellosis State Status

If there are multiple brucellosis classifications within a state, the lowest classification shall be recognized by this Department as the classification for that entire state.

(Source: Added at 10 Ill. Reg. 9741, effective May 21, 1986)

Section 75.TABLE A Brucellosis Standard Plate Test of Officially Vaccinated Cattle and Bison

Dilutions			Diagnosis
1/50	1/100	1/200	
-	-	-	Negative
I	-	-	Negative
+	-	-	Negative
+	I	-	Suspect
+	+	-	Suspect
+	+	I	Suspect
+	+	+	Reactor

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

Section 75.TABLE B Brucellosis Standard Plate Test of Non-Vaccinated Cattle and Bison

Dilutions			Diagnosis
1/50	1/100	1/200 or 1/250	
-	-	-	Negative
I	-	-	Suspect
+	-	-	Suspect
+	I	-	Suspect
+	+	-	Reactor
+	+	I	Reactor

(Source: Amended at 8 Ill. Reg. 5891, effective April 23, 1984)

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